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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,129	06/27/2003	Chih-Fang Peng	10963-US-PA	1634
31561	7590	05/18/2005	EXAMINER	
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			WANG, GEORGE Y	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/604,129

**Applicant(s)**

PENG, CHIH-FANG

**Examiner**

George Y. Wang

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ejima et al. (U.S. Patent No. 5,873,468, hereinafter "Ejima") in view of Matsuda et al. (U.S. Patent No. 6,096,808, hereinafter "Matsuda"), and in further view of Iwamoto et al. (U.S. Patent No. 5,950,836, hereinafter "Iwamoto").

3. As to claim 1, Ejima discloses a panel carrier (fig. 1, ref. 11) comprising a box (fig. 1, ref. 21) where the interior lateral surfaces of the box have a plurality of cannellures (fig. 1, ref. 21A) and a plurality of attaching elements (fig. 1, ref. 22) where the two ends of each attaching element are inserted into the corresponding cannellures on two opposing lateral surfaces to partition the interior of the box into compartments.

However, the reference fails to specifically disclose the partitioning the interior of the box into compartments of various sizes and the interior of the box comprising a bottom surface with cannellures.

Matsuda discloses a panel carrier comprising a box where the compartments are of various sizes (fig. 4, ref. 18).

Iwamoto discloses an LC panel container having an interior bottom surface with cannellures (fig. 1, ref. 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a liquid crystal panel carrier comprising a box where the attaching element partitions the interior of the box into compartments of various sizes since one would be motivated to provide a carrier that does not constitute a hindrance to the substrate panels as they are inserted, removed, or thermally treated (Matsuda, col. 3, lines 48-52). This way, panels are various sizes can properly be fitted in the carrier without any obstruction (col. 3, line 61 – col. 4, line 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an interior bottom surface with cannellures since one would be motivated to provide a carrier that does not constitute a hindrance to the substrate panels as they are inserted, removed, or thermally treated (Matsuda, col. 3, lines 48-52). This way, panels are various sizes can properly be fitted in the carrier without any obstruction (col. 3, line 61 – col. 4, line 6). Furthermore, such a carrier ultimately provides increased shock protection and security of the panels (col. 1, line 45 – col. 2, line 21).

4. As per claims 3-7, Ejima, when modified by Matsuda, discloses the LC panel carrier as recited above, however, the references fail to specifically disclose the interior

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of the box comprising a bottom surface with cannellures with saw-tooth-like profile that matches the profile of the cannellures, and with lateral surfaces comprising a plurality of dovetail grooves and clamping sections.

Iwamoto discloses an LC panel container having an interior bottom surface with cannellures (fig. 1, ref. 40) with saw-tooth-like profile (fig. 1, ref. 42) that matches the profile of the cannellures, and with lateral surfaces comprising a plurality of dovetail grooves and clamping sections (fig. 1, ref. 44, 46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an interior bottom surface with cannellures having a saw-tooth-like profile and having lateral surfaces comprising a plurality of dovetail grooves and clamping sections since one would be motivated to provide a carrier that does not constitute a hindrance to the substrate panels as they are inserted, removed, or thermally treated (Matsuda, col. 3, lines 48-52). This way, panels are various sizes can properly be fitted in the carrier without any obstruction (Matsuda, col. 3, line 61 – col. 4, line 6). Furthermore, such a carrier ultimately provides increased shock protection and security of the panels (col. 1, line 45 – col. 2, line 21).

5. Regarding claims 8-11, Ejima discloses the LC panel carrier as recited above with attaching elements (fig. 1, ref. 22) having protruding edges that constitute insertion slots for accommodating an LC panel and where the box is fabricated using a material harder than the attaching elements (fig. 3, ref. 13), such that the lateral surface of the attaching elements has a plurality of clamping sections (fig. 3, ref. 13).

***Response to Arguments***

6. Applicant's arguments filed February 25, 2005 have been fully considered but they are not persuasive.

Applicant's main argument is that there is no motivation to combine Ejima with Matsuda. Applicants supports this contention by arguing that Ejima does not teach a plurality of attaching elements as claimed and asserts that the alleged attaching member is a thin-plate presser member. However, Examiner notes that there is nothing in the claim language that precludes a thin-plate presser member from functioning the same as an attaching element. Although Applicant argues that the attaching elements can be inserted into any corresponding cannellures on two opposing interior later surfaces, the fact that the thin-plate presser members are already inserted into cannellures satisfies the recitation that is any of the corresponding cannellures. Furthermore, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). Thus, Ejima fully teaches the claimed limitations.

Applicant also asserts that Matsuda can only house substrates of one size at a time and that in order to house substrates of other sizes, the support members of the hollow frame case need to be reassembled. However, Examiner asserts that such reassembly is not precluded from the claim language. After all, the claim merely recites

"the box into compartments of various size." Nowhere does the claim specify that reassembly cannot take place.

As a result, Examiner holds to the validity of the references used and maintains rejection.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Y. Wang whose telephone number is 571-272-2304. The examiner can normally be reached on M-F, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gw  
May 14, 2005

DUNG T. NGUYEN  
PRIMARY EXAMINER

DANTON  
PRIMARY EXAMINER

*for Dung Nguyen*